

Board of Vocational Rehabilitation (BVR)
September 29, 2020
Meeting Held Via ZOOM

MEMBERS PRESENT: Vicki Stewart, Jennifer Trenhaile, Jonathan Englund, Eric Weiss, Cole Uecker, Beth Schiltz, Brad Konechne, Brooke Lusk, Bill McEntaffer, Peter Bullene, Kristi Allan, Lisa Merchen, Joe Vetch and Kevin Barber. **MEMBERS ABSENT:** Jolleen Laverdure. **OTHERS PRESENT:** Bernie Grimme, Jordan Trumbo, Kim Ludwig, Jessica Hovland, Katie Gran, Dan Rounds and Colette Wagoner. Interpreters were Julie Paluch and Rick Norris.

HOUSEKEEPING ITEMS: Board staff reviewed the use of Zoom features and other information e.g., mute, camera, identifying oneself by name when speaking; use of interpreters, and pinning videos. Staff reviewed the voting process and the need to conduct roll call, voting members and ex-officio non-voting members.

OPENING ACTIONS: Cole Uecker, Chairperson, called the meeting to order at 9:05 am. He welcomed everyone and asked for introductions. **APPROVAL OF AGENDA –** Cole asked if there were any changes/additions to the agenda. **MOTION TO APPROVE THE AGENDA AS DISSEMINATED – MADE (M), SECONDED (S) AND CARRIED (C).** YEAS: Kristi, Beth, Lisa, Vicki, Joe, Jonathan, Brad, Brooke, Bill, Peter, and Kevin. NAYS: None. **REVIEW AND APPROVAL OF MEETING MINUTES:** Cole called for any changes/additions to the two sets of meeting minutes that were disseminated prior to the meeting; hearing none, **MOTION TO APPROVE THE JUNE 25, 2020 MEETING MINUTES AND THE EXECUTIVE COMMITTEE AUGUST 20, 2020 MEETING MINUTES, MSC.** YEAS: Kristi, Beth, Lisa, Vicki, Joe, Jonathan, Brad, Brooke, Bill, Peter, and Kevin. NAYS: None.

ANNOUNCEMENTS: Cole invited announcements of any kind, urging members to identify upcoming events or meetings now that face to face meetings are so limited due to COVID-19. Bill reported that the Department of Labor and Regulation's (DLR) local offices remain closed to the public. Appointments are taken on Tuesdays and Thursdays which can be done in person, virtually, or by phone. He anticipates this to continue through the end of the year. Staff are also helping individuals with re-employment assistance i.e., benefits, completion of forms. He encouraged everyone to refer individuals to their local offices, as there is a huge need for employees.

PUBLIC COMMENT: There was none.

DIVISION OF REHABILITATION SERVICES (DRS) REPORT: Eric thanked Cole for chairing the meeting and welcomed the new members. COVID-19: At the last meeting there was discussion of the impact of COVID-19 on staff and services. Staff returned to

the office as of June 1st. To date there have been no issues, flexibility has been a key for staff who need to provide care for individuals/dependents i.e., staff working alternative schedules/remote work. Technology has allowed some staff to continue to work from the home when needed. Staff are utilizing technology in all stages of the VR process. Staff are utilizing DocuSign to obtain signatures electronically in a secure environment; and they are communicating with individuals in their preferred format. Challenges still exist with providing services in person (per choice of the provider, consumer, and/or employer). One example is Project Skills which provides paid work experience for high school students with disabilities. Challenges have been posed from various fronts; school policy/procedures, the employer, worker, family, or the provider. DATA REPORT: April 1 through June 30, 2020 reflects 162 applications for services as compared to the October 1, 2019 through December 31, 2019 applications were at 539. This impacts total numbers for eligibilities and total served for the same time period. Again, this is out of VR's control and reflects the implications due to the pandemic. The Division ran the data recently, being close to the end of the quarter, and it is showing that application numbers are rising. A goal for the Division is to get back to the pre-pandemic numbers. A question was asked about individuals not having access to a computer or smart phone and what is being done. In response, it was stated that Division staff can conduct business through mail (or other methods) whatever works best for the person.

A question was asked whether the Division was seeing situations where current consumers are having issues with maintaining employment i.e., failure of the employer in providing reasonable accommodations? Eric indicated he was unaware of any situations like this. BUDGET: The Division was on pace of exceeding expenditures the first eight months of the state fiscal year, which started July 1, 2019. The Division anticipated the need to expand services, anticipating more individuals applying for services. Then, due to the pandemic there has been a decrease in case service expenditures. This will prevent the Division from fully expending its federal dollars as allotted under the Rehabilitation Act. The annual reallocation process allows states to apply for funds not expended by other states. Federal funds require a state match. This will be the first time the Division will return federal funds; \$2 million in federal funds and \$50,000 in Supported Employment (SE) funds (SE funds do not require state match). In 2018, nine states relinquished \$110 million funds and in 2020 18 states gave back \$290 million. In response to a question of how this might impact future funding, it was reported that the Division will not be penalized in future years. There were no other questions at this time.

VOCATIONAL REHABILITATION (VR) INITIATIVES: SECTION 511 REVIEWS:

Bernie spoke to Section 511 Reviews. The term "Section 511" comes from a section from the Rehabilitation Act and it places limitations on the payment of subminimal wages by entities holding special wage certificates, (14(c) certificate). The purpose is

to ensure that individuals with disabilities have access to information and services that will enable them to achieve competitive integrated employment. VR is required to conduct periodic reviews of individuals with disabilities who work and earn less than minimum wage. A listing was provided outlining the Community Support Provider agencies holding special wage certificates allowing employees with disabilities to earn less than minimum wage. The listing showed numbers from State Fiscal Year 2017 which there were almost 1000 individuals working in subminimal wage and in SFY 2020 this number dropped to 443 (over a 50% drop). A change in the law also impacted schools where they were no longer eligible to contract with an agency to provide sub minimal wage work to students with disabilities (termed sheltered employment). The Division is preparing to conduct reviews of the remaining employees and anticipates the number to drop in half again. A question was asked if there is something in place to keep in contact with individuals who stop working in subminimal wage positions and go into day services/program. The Division relies on the CSP, individual with a disability, family member or guardian to seek out services or make a referral to VR.

BENEFIT SPECIALIST NETWORK: An updated brochure was shared with members prior to the meeting. The Division has a contract with Black Hills Special Services Cooperative to provide statewide coverage; it supports five benefit specialists who provide benefits counseling and assistance to individuals with disabilities. The specialists provide information/analysis on social security benefits (social security work incentives, Medicaid, Medicare, SNAP, TANF, housing assistance, and other disability related benefits). Brooke spoke to what the benefit specialists go through to become certified to include training, testing, submitting reports, obtaining a provisional certificate until receiving final certification. The benefit specialists work with approximately 1000 individuals annually.

FALL CONFERENCE UPDATE: The conference will be held October 20-22, 2020 virtually. It was originally planned to be held in Deadwood. The Division is working with Technology & Innovation in Education (TIE) to host the event via a virtual platform. Registration information has been disseminated and members can register to attend. Bernie reviewed sessions and speakers and noted that a “How to Zoom” and a “Virtual Networking Opportunity” will be held the afternoon of October 19th, prior to the conference starting. Sessions will offer real time captioning. Virtual booths will be offered as well. There are over 260 registered to date. Bernie invited people to contact him if they have any questions.

ON THE JOB TRAINING: A news release was issued on September 18 announcing the Division was expanding the On the Job Training reimbursement to employers to assist individuals with disabilities in returning to work. VR was reimbursing employers for 50% of the wages during a training period when hiring a person with a disability,

now it is 100%. Wage reimbursement can be for new employees or previous employees returning to employment. The announcement identified other services available from the vocational rehabilitation program. This is an incentive for employers to bring individuals with disabilities back to previous employment or bring on new employees with disabilities. This assists employers and the work environment with limiting contact during COVID, limiting others entering the work environment i.e., job coach/employment specialist, allowing employers to utilize natural supports.

KATIE GRAN, DIVISION TRANSITION/TRAINING SPECIALIST: The Workforce Innovation and Opportunity Act (WIOA) requires the Division to set aside at least 15% of their federal funds to provide pre-employment transition services to students with disabilities. This includes job exploration counseling, work-based learning experiences, workplace readiness training, social skills/independent living, and self-advocacy. Katie assists with identifying resources for staff in the area of pre employment and transition services and identifying other staff training needs. The Division's website has a transition page which lists a variety of resources and links to access the information which can be found at: <https://dhs.sd.gov/rehabservices/transitionresources>. She described some of the resources i.e., Virtual job shadow; eTrac, ExploreWork, and "I'm Determined". The Transition Resource Booklet was updated, and it can be accessed on the website as well. She is learning more about financial curriculum type resources which will be shared with counselors and special education teachers to work with students. On November 2nd, a Request for Funding Proposal (RFP) will be issued for new 18-21 transition programs. Last year this RFP resulted in the approval of four contracts.

JORDON TRUMBO, POLICY/QUALITY ASSURANCE: Jordan assists with identifying provider training needs. The Division recently issued an RFP seeking to establish a training program for service providers who work with people with disabilities which was shared prior to the meeting. This was an identified training need resulting from conversations with counselors and employment specialists. The RFP was issued September 14th, letters of intent were due September 28th with four letters submitted. The proposals are due November 2nd. The Division will make a selection by November 16th with activities starting in the new year. In response to a question about the Division making this mandatory, the response was that the Division can encourage providers to participate in training but not require them to do so; however the activities will assist providers with obtaining certification to be reimbursed at a higher reimbursement rate. Certified providers need to submit continuing educational credits to maintain their certification.

CONSUMER SATISFACTION SURVEY: Bernie provided this update noting the survey has been conducted for a number of years via a postcard. The postcards are disseminated at various stages of where the consumer is at during the vocational

rehabilitation process. There were three surveys, each containing six questions targeting satisfaction with: informed choice, services, and employment outcomes. He reviewed the responses and ratings for the three surveys and a few other changes due to recommendations from the Board's Consumer Services Committee. Another change due to input from the Consumer Services Committee was the development of a new survey sent to individuals who received services and closed unsuccessfully rehabilitated. The newly implemented survey was disseminated in the Fall of 2019 but it takes several months for the survey responses to be received. Cole interjected at this point speaking of the Board and committee members involvement and the work to gain greater consumer response rates. He uplifted the work of members and staff and the importance of hearing from consumers of what works/what does not. He noted it is important to hear from individuals who have received services which will assist the Board and Division with continuing efforts to improve overall service delivery.

BREAK

TRANSITION SERVICES LIAISON PROJECT (TSLP): Dan Rounds, TSLP Coordinator, provided an overview of the project and activities. TSLP was a product of the Transition Systems Change Project in the 90's and its purpose is to improve/expand high school transition options and services for students in SD. The project is co-funded by the Division of Rehabilitation Services and Office of Special Education. There is one coordinator and four regional transition liaisons who provide technical assistance, resources, and training to students with disabilities, families, education agencies and adult service agencies throughout the state. Activities include coordinating the Youth Leadership Forum, hosting Catch the Wave and "Let's Talk about Work" events, hosting regional transitional forums, participating in interagency councils, providing Indicator 13 workshops, and hosting the transition summer institute. Staff are also involved with transition IEP file reviews. Other activities include hosting meetings for disability service coordinators from post-secondary schools, providing employment and SSA benefits workshops and maintaining the TSLP website. Dan highlighted the need to coordinate meetings with individuals with disabilities and family members to broaden their knowledge about available services/agencies which includes the vocational rehabilitation agencies, Department of Education, Department of Labor and Regulation, Disability Rights South Dakota, SD Parent Connection, Division of Developmental Disabilities. There were no questions for Dan at this time. Members were invited to be in touch if any questions come up or if they want to visit about any of the activities. Vicki shared that she was involved with one of the first YLF activities and the work of the entire project has had a positive impact on the state.

COMPREHENSIVE TRANSITION PROGRAM DISCUSSION/AUGIE ACCESS

UPDATE: Cole provided background information on this as it has been on the Board's agenda the last several meetings. In addition, time has involved the Consumer

Services Committee with meetings and discussions. Comprehensive Transition Programs are programs designed to support students with intellectual disabilities who want to continue academic, career, and independent living instruction to prepare for gainful employment. The Board has been specifically looking at the Augie Access Program and prompted questions/guidance from Rehabilitation Services Administration. Information reviewed included: a Credential Attainment Guide for State VR Agencies; a September 17, 2019 US Department of Education Question and Answer document entitled "Increasing Postsecondary Opportunities and Success for Students and Youth with Disabilities; and the Division's Program Guide "Financial Participation Requirements for Secondary and Postsecondary Training Programs". It was determined that if VR funding is to be utilized in providing assistance to a VR consumer, that a goal needs to support them in benefiting in terms of an employment outcome. This would be reviewed and determined on a case by case situation. At the March meeting, the Board approved a motion for the Division to have further conversation with Augie Access in order for the program to meet VR requirements. It was agreed this would include the involvement of the Board's Consumer Services Committee and DLR staff asked to be involved as well. The importance was re-emphasized that VR program outcomes must result in employment outcomes for those served. The Division is providing some financial support if the individual is a secondary student or if the individual is over the age of 21; in these situations, the Division cannot utilize the 15% set aside funds. The hope is that Augie Access can make some adjustments to its programming which will assist an individual in working towards their employment goal. Cole added that this can be added as a future agenda item if members want more discussion/information or have questions or it can be done via email.

BUSINESS SPECIALIST UPDATE: Kim Ludwig is the single point of contact for the Division with businesses. She provides them with needed technical assistance regarding hiring and retaining individuals with disabilities. She conducts outreach, trainings (disability awareness/etiquette, VR services, ADA), connects businesses with local VR offices, provides referrals, receives, and disseminates job openings with providers/VR, and provides individualized assistance to VR staff and providers. She provided the following updates.

VR PERFORMANCE MEASURES FOR EFFECTIVE EMPLOYER SUPPORTS AND SERVICES (INDICATOR #6): As a requirement under WIOA, VR must measure for effectiveness in serving employers. VR measures two approaches. 1): Retention with the same employer (percentage of participants who exit and are employed with the same employer in the second and fourth quarters after exit the VR system. 2) Repeat business customers which tracks the percentage of employers who receive services that use core program services more than once. She reviewed a handout which

highlighted different employer services provided throughout program years 17-19. This is a pilot project with information being tracked through 2021.

Business Engagement/Staff Training Update: The Division is working with DLR and Maher and Maher, a consulting firm, on business engagement and techniques to improve working relationships with the business community. Trainings sessions were held virtually on June 23rd, July 21st, and September 22nd and 23rd. The first session focused on challenges SD businesses are encountering, the reasons for and importance of partner agencies to work together as an integrated team when working with businesses, and the basics of business engagement. The second session focused on the importance of speaking the language that businesses will understand when discussing VR programs and services and delivering comprehensive solutions. The third session focused on the principles learned and reviewing specific scenarios and a case study. There were approximately 85 participants that were involved in the training.

WINDMILLS Virtual Train-the-Trainer Certificate Training: Catherine Greseth and Kim participated in this train-the-trainer certificate program in July. The program consists of 12 modules which are designed to change the perception of disability training; focusing on attitudes and human factors (addressing the fears, biases and myths which create barriers in the hiring process), while addressing concerns to include legal requirements and accommodations. The modules contain exercises relevant to the everyday world of work. Vicki Stewart participated in the training offered earlier this month. Vicki shared information on the presenters, noted some of the materials that can be shared, and looking forward to working with other attendees from other states.

Ability for Hire Initiative Update: DRS continues to work with Epicosity a marketing/advertising company based in Sioux Falls on the Ability for Hire initiative. This initiative provides information and resources to businesses to help them recruit and hire employees with disabilities. Work continues with developing a printed toolkit comprised of disability-related topics relevant to businesses and making this information available on the Ability for Hire website. Trainings held via webinars on various topics of interest to businesses will be made available on the website. DRS's Business (Employer) Brochure: Items were forwarded to members prior to the meeting, one included the Division's (employer) brochure, last updated in 2015. The Public Awareness Committee reviewed the card racks and holder and provided input. The items are being finalized now with quotes/testimonials added from businesses.

2020 Vocational Rehabilitation's Pre-Employment Transition Services Initiative: DRS and SBVI funded an initiative focusing on Pre-Employment Transition Services (Pre-ETS) to secondary students with disabilities, which aligns with WIOA. These trainings are traditionally held in the summer, lasting one to four weeks, and held in person.

Training focuses on three areas: workplace readiness training to develop social skills and independent living, instruction in self-advocacy, and information about VR services and other available programs. Due to COVID most of the approved trainings were conducted virtually. Ten entities were awarded funding; however, nine of the entities completed the training. One entity chose to cancel their contract due to COVID. An overview of the agencies that hosted the trainings, number of attendees and dates were provided. A positive note resulting from COVID and hosting the events virtually allowed students from different locations to participate.

CASE FILE REVIEW UPDATE: Jordan Trumbo provided this update noting the Case File Review Report was shared with members prior to the meeting. Case file reviews are conducted to detect training needs, recognize strengths, improve consistency between offices, and assure compliance with federal and state policies. The review was conducted electronically via FileDirector involving nineteen staff, with a focus on unsuccessful and current open cases to assess for client engagement. A total of 224 cases were selected to include: open cases; closed due to client not wanting to continue services; and closed due to losing contact with the client. The review focused on application, eligibility, IPE, services provided and case closure. She reviewed recommendations and changes resulting from conducting the review. The recommendations included identified training needs, policy/procedure clarifications and documentation needs for the files. Bernie and Eric provided comments of the review being utilized as an opportunity to providing quality assurance and training for counselors, as well as a process that improves consistency for staff in various areas i.e., documentation.

STATEWIDE INDEPENDENT LIVING COUNCIL (SILC) UPDATE: Eric reported that the SILC is a part of the Independent Living (IL) Network in the state along with the two Centers for Independent Living/CILs (Independent Living Choices and Western Resources for Independent Living) and the Division. Each state must have a SILC in order to be eligible to receive funding to provide independent living services from the Administration for Community Living (ACL). The SILC met on September 10 via Zoom and will meet again in December, it is required to meet quarterly similar to the Board. SILC nominations and appointments follow a very similar process to the Board as well. He reviewed several standing agenda items: CIL quarterly reports, Division of Service to the Blind and Visually Impaired and Board of SBVI; CIL updates; review of SILC committees, SILC policies, and Staff Report. The SILC is currently waiting on approval of its three-year state plan that was submitted in June.

GOVERNORS AWARDS CEREMONY: Eric reported that the ceremony was held in Pierre on September 15th at the Capital with a reception following at the Ramkota Hotel. Seven award recipients were recognized by the Governor. Recipients and categories were: Chris Peterson/Outstanding Employee with a Disability; Kendra

Gottleben/Outstanding Individual with Disability; Boyds Gunstock Industries/Outstanding Private Employer/(Large Employer); The Fox Stop/Outstanding Private Employer(Small Employer); Mitchell School District – Food Service Department/Outstanding Employer/Other – Any Size); Karen Schmeiser/Outstanding Transition Services Award, and Eugene (Gene) Murphy/Distinguished Service Award. Safety measures were outlined: all attendees were encouraged to wear masks, spacious seating for both events, and use of hand sanitizer. Local radio spots were conducted the morning of the event and it was livestreamed for the first time. There is a link on the Division's website to the livestreamed event if anyone wants to view it. can be viewed and a link is on the Division's website. Communication was shared with media outlets across the state following the event.

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH (NDEAM): Staff reported that the majority of NDEAM events needed to be restructured from in person events to hosting them virtually. Contracts needed to be re-written with several speakers in order to remove travel related expenses. The process of reviewing requests for funding was outlined which involved representatives of the BVR/BSBVI and SILC who provided funding recommendations to each board/council. Some communities had to submit revised funding requests asking to move funds from the presenter/speaker line item to advertising related costs. Original proposals amounted to over \$30,000 and with the changes in funding requests this was reduced to less than \$26,000. Information was shared about a few of the events. Aberdeen/Mobridge/Pierre will address "The Power of Culture" and utilize Think 3D Solutions for the October 7 event. Brookings/Madison/ Sisseton will host Haley Moss to conduct three separate sessions, with different topics and dates. (Volga school district has opted out due to COVID related reasons.) Rapid City/Sioux Falls/Yankton/Mitchell will feature a presenter from the Job Accommodation Network on October 6th. Watertown is continuing with its original plan to recognize area employers/businesses and individuals with disabilities and conduct social media and newspaper articles highlighting success stories. Since a few events are being held virtually, members can pick and choose events to attend.

OTHER BUSINESS: Cole utilized this time to remind members of its role and providing support to the Division and reminding everyone that individual members represent various organizations/entities across the state and the need to be supportive of one another with various activities. There were no other comments at this time.

CLOSING ACTIONS: Future Agenda Items: there were no items offered at this time. Scheduling Next Meeting: Board staff will forward a doodle poll to members identify a date for the next meeting to be held in early to late December. Cole asked if there was anything else/other business; there was none. Adjournment: **MOTION TO ADJOURN**

THE MEETING AT 12:45 PM, MSC. YEAS: Kristi, Beth, Lisa, Vicki, Joe, Jonathan, Brad, Brooke, Bill, Peter, and Kevin. NAYS: None.